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SUBJECT: BELARUS: GOB TIGHTENS SCREWS ON MEDIA

Summary

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11. (SBU) The Parliament's lower chamber approved a controversial media bill which, if passed in the Upper Chamber and signed by the President, will subject online news sources to the same requirements as printed press, require re-registration of most existing media and accreditation of journalists, and cap aid from foreign organizations at thirty percent. While senior GOB officials publicly advocated for the bill, independent experts voiced concerns over provisions of the bill that they believe provide legal grounds for further censorship and enforce legal control over internet-based media. Post believes the bill's adoption to be probable and potentially a significant set-back for freedom of the press in an already tightly-controlled environment. End Summary.

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Media Law Overhaul Rubber-Stamped  
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12. (U) After half an hour of discussion, the House of Representatives June 17 approved on first reading (in a 93 to one vote) a new media bill that would require re-registration of most existing media within a year and require the same regulations for internet media as currently exist for print and broadcasting media outlets. On June 24, the bill with minimal changes was quickly approved on second, final, reading (96 to two). If passed in the upper chamber and signed by the President, journalists would require accreditation in order to work for foreign news outlets, and financial or technical aid from foreign organizations would be exclusively allowed by registered co-founders of media outlets from whom aid may not exceed 30 percent of the total budget. The law would require journalists to disclose sources upon demand by the GOB. The final approval of the bill included a proposed amendment to establish a public supervisory council under the Council of Ministers, which will oversee the work of a coordinating committee comprised of GOB representatives, public associations and mass media.

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Analysts: Bill Legalizes Repressive Practices  
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13. (U) The Belarusian Association of Journalists (BAJ), independent analysts, and civil society leaders vehemently reacted to what they called "the most repressive media legislation in Europe" aimed "at putting independent media on the verge of extinction." Critics say that the bill is the latest GOB move to stifle freedom of information. Various independent media advocates rejected the GOB's assurances to the contrary, arguing that under the bill, every media outlet, including internet-based newspapers, would have twelve months to re-register with relevant state agencies.

14. (U) Critics claim that while internet sources would not expressly be required to re-register, the new law would allow their regulation at the discretion of the Council of Ministers and could be blocked without explanation. Unlike under current laws, the

bill does not provide an exhaustive list of citations that could lead to suspension of a media outlet's legal status. After receiving a single such violation from the Information Ministry or prosecutor's office, an online media outlet could be blocked or print media shut down by the GOB. An editor could be held criminally accountable for reprinting information from unregistered sources or distributing materials that allegedly discredit or damage state or public interests.

15. (U) Observers protest the limitation of foreign ownership of media outlets at thirty percent of the total budget. IT expert and founder of news portal TUT.by Yuri Zisser cited the foreign capital cap as the worst repercussion for high-tech companies. Under this law, Zisser argued that TUT.by (500,000 readers per day), which is part of a larger IT company, could experience negative effects on its overall business because of complications attracting foreign investment. Civil society activists expressed concern about the foreign support cap, noting that local branches of Russian media could even lose registration.

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GOB Adamantly Defends Bill  
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16. (U) During the introduction of the bill to Parliament, Deputy Chairperson of the Presidential Administration Natalya Petkevich postulated that the bill posed no threat of "violation, prohibition or restriction" and served "to establish comprehensive rules of play" for "media market newcomers." Petkevich dismissed speculation that the Parliament hastily considered the bill prior to the upcoming 2008 parliamentary elections, saying that if adopted, the bill would come into force only six months after the elections scheduled for September 28. She asserted that the bill would not

VILNIUS 00000491 002 OF 002

"regulate" or "change internet media operations" because it would not specifically require registration of internet sites but rather envisages regulation of "internet versions" of printed or electronically-distributed media. Noting that the law would replace the current "outdated" law from 1995, Petkevich claimed that "the bill's provisions were designed to ensure that the state media improve their quality."

17. (U) Deputy Information Minister Liliya Ananich echoed Petkevich's statements, noting the bill "is consistent with the most democratic legislature." She affirmed that the bill "bans unlawful restriction of the freedom of speech" such as censorship, violating journalists' rights, interference into editors' work as well as illegal closure of media outlets. Ananich pointed to "a problem of disinformation flows" from websites abroad, which she said are aimed at destructively influencing processing in Belarus. She added, "But there is the experience of China, which has cut off access to its territory for such sites." MP Yuri Kulakovskiy maintained the law would not "significantly worsen the situation with the media," and MP Anatoly Krasutskiy supported passage, saying, "it is of a progressive, not revolutionary nature." Chairman of the state-run Belarusian Union of Journalists Anatoly Lemeshonok's estimated that "those, who want and love their country, want to tell the truth, enjoy enough of the freedom of speech in full."

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Comment  
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18. (SBU) If adopted in its current form, the media bill would provide legal grounds for a crackdown on the few remaining outlets of independent media and freedom of speech in the country. Although the GOB has long experience employing censorship techniques, this law would provide an ostensibly more legitimate basis by which the GOB can persecute media, allowing means by which to eliminate independent press or arrest journalists for alleged libel. Tight control of online news sources could precipitate a mass migration of both opposition-oriented and apolitical websites abroad. To escape criminal liability, unaccredited journalists may resort to using pseudonyms and nicknames, driving Belarus' chattering class further underground. Given the lightning speed at which the bill passed its

first reading and the vocal support it has received by high-level  
GOB officials, post believes it unlikely that the bill will be  
significantly revised before its adoption.

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